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Recon.
SDavis
9/29/03

Attorney Docket: 420.50949
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: GUNTHER MULLER ET AL.
Serial No.: 10/089,735 Group Art Unit: 2856
Filed: APRIL 4, 2002 Examiner: Garber, Charles D.
Title: ACOUSTIC PRESSURE CALIBRATOR

RESPONSE UNDER 37 C.F.R. §1.116

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Sir:

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The following comments and request for reconsideration are in response to

09/26/2003 SDAVIS 00000013 051323 10089735
01 FC:1251 the Final Patent Office Action of May 30, 2003.

Claims 1-5 continue to be rejected under 35 U.S.C. 102 as anticipated by the reference to Zuckewar U.S. Patent No. 4,445,378 for the reasons indicated at pages 3 and 4 of the patent Office Action. The "Response to Arguments" section on page 2 of the patent Office Action indicated that the arguments filed by applicant on May 14, 2003 were considered but were not persuasive.

Applicant's invention provides an apparatus and method for calibration of a sound pressure level sensor. The Examiner has not given weight to the recitation for "calibrating a sound pressure level sensor" because the preamble, according to the Rejection is denied the effect of the limitation where the claim is drawn to a structure having the portion of the claim following the preamble as a self-contained